

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Andy Fang
Debtor(s)

Bankruptcy Case No.: 19-21620-GLT
Issued Per 6/17/2019 Proceeding
Chapter: 13
Docket No.: 26 - 17
Concil. Conf.: November 7, 2019 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated May 20, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Nov. 7, 2019 at 11:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 6 of IRS .
- ☒ H. Additional Terms: A Fee Application is needed if any fee (including retainer) exceeds \$2,500.00/\$3,100.00 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

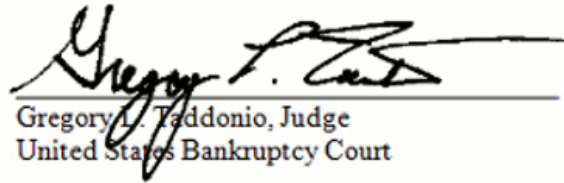
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: June 21, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Andy Fang
 Debtor

Case No. 19-21620-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

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 Total Noticed: 35

Date Rcvd: Jun 21, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 23, 2019.

db
 15054768 +Andy Fang, 445 Broadway Street, Carnegie, PA 15106-2640
 15037435 American Airlines Credit Union, P O Box 619001, Dallas, TX 75261-9001
 15068857 +American Airlines Credit Union, 4151 Amon Carter Blvd., Fort Worth, TX 76155-2601
 15054769 +American Airlines Federal Credit Union, c/o Bruce W. Akerly, Akerly Law PLLC,
 878 S. Denton Tap Rd., Suite 100, Coppell, TX 75019-4563
 15059983 American Express, PO Box 981537, El Paso, TX 79998-1537
 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 15054770 +Best Buy/CBNA, PO Box 6497, Sioux Falls, SD 57117-6497
 15054772 +CBE Group, Inc., P.O. Box 2217, Waterloo, IA 50704-2217
 15053573 +Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L.,
 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
 15054773 +Chase Card, P.O. Box 15369, Wilmington, DE 19850-5369
 15054774 +Citicards CBNA, PO Box 6190, Sioux Falls, SD 57117-6190
 15054775 +Citicards/Citibank, PO Box 6241, Sioux Falls, SD 57117-6241
 15054777 National Tire & BT/CBNA, PO Box 6497, Sioux Falls, SD 57117-6497
 15054779 +PNC Bank, PO Box 3180, Pittsburgh, PA 15230-3180
 15072265 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 15054781 +Rocket Loans, 1001 Woodward, Suite 1750, Detroit, MI 48226-1904
 15063543 +RocketLoans Marketplace, C/O RocketLoans, 1274 Library St., Detroit, MI 48226-2256
 15054788 +TD Bank USA/Target Credit, PO Box 1470, Minneapolis, MN 55440-1470

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: kbarkley@bernsteinlaw.com Jun 22 2019 02:18:25 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 22 2019 02:21:55
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15052910 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 22 2019 02:21:52
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15054771 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 22 2019 02:21:07
 Capital One Bank USA NA, POB 30281, Salt Lake City, UT 84130-0281
 15054776 E-mail/Text: cio.bncmail@irs.gov Jun 22 2019 02:17:19 Internal Revenue Service,
 1000 Liberty Avenue, Pittsburgh, PA 15222
 15074244 E-mail/PDF: resurgentbknofifications@resurgent.com Jun 22 2019 02:21:38 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15054778 +E-mail/Text: bnc@nordstrom.com Jun 22 2019 02:17:17 Nordstrom/TD Bank USA,
 13531 E Caley Ave., Englewood, CO 80111-6504
 15054780 +E-mail/Text: bankruptcyteam@quickenloans.com Jun 22 2019 02:18:14 Quicken Loans,
 1050 Woodward Avenue, Detroit, MI 48226-1906
 15053596 +E-mail/Text: bankruptcyteam@quickenloans.com Jun 22 2019 02:18:14 Quicken Loans Inc.,
 635 Woodward Ave., Detroit, MI 48226-3408
 15054782 +E-mail/PDF: gecsed@recoverycorp.com Jun 22 2019 02:21:26 SYNCB/Amazon PLCC,
 PO Box 965015, Orlando, FL 32896-5015
 15054783 +E-mail/PDF: gecsed@recoverycorp.com Jun 22 2019 02:21:03 SYNCB/BP, PO Box 965024,
 Orlando, FL 32896-5024
 15054784 +E-mail/PDF: gecsed@recoverycorp.com Jun 22 2019 02:21:25 SYNCB/Care Credit,
 C/O PO Box 965036, Orlando, FL 32896-0001
 15054785 +E-mail/PDF: gecsed@recoverycorp.com Jun 22 2019 02:21:25 SYNCB/Google, PO Box 965022,
 Orlando, FL 32896-5022
 15054786 +E-mail/PDF: gecsed@recoverycorp.com Jun 22 2019 02:21:25 SYNCB/Pay Pal, P.O. Box 965005,
 Orlando, FL 32896-5005
 15054787 +E-mail/PDF: gecsed@recoverycorp.com Jun 22 2019 02:21:25 Synch/Walmart DC, PO Box 965024,
 Orlando, FL 32896-5024
 15038422 +E-mail/PDF: gecsed@recoverycorp.com Jun 22 2019 02:21:25 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15071344 +E-mail/PDF: gecsed@recoverycorp.com Jun 22 2019 02:21:25 Synchrony Bank,
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021

TOTAL: 17

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Quicken Loans Inc.
 cr* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 15054767* +American Airlines Credit Union, 4151 Amon Carter Blvd., Fort Worth, TX 76155-2601

TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0315-2

User: dbas
Form ID: 149

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Total Noticed: 35

Date Rcvd: Jun 21, 2019

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 23, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 21, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Quicken Loans Inc. bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Matthew M. Herron on behalf of Debtor Andy Fang mmh@thedebedtctors.com,
hgs@thedebedtctors.com;alb@thedebedtctors.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 6